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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/518,848	03/15/2006	Jens-Peter Schlomka	DE 020158	6169
24737 7590 02/26/2008 PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510				
EXAMINER KIKNADZE, IRAKLI				
ART UNIT 2882		PAPER NUMBER		
MAIL DATE 02/26/2008		DELIVERY MODE PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

## Application No.

10/518,848

## Applicant(s)

SCHLOMKA ET AL.

## Examiner

IRAKLI KIKNADZE

## Art Unit

2882

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 29 November 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 10-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-9 and 11-17 is/are allowed.
- 6) ☒ Claim(s) 10 and 18-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. In response to the Office action mailed September 13, 2007 the Amendment has been received on November 29, 2007.

Claims 1 and 4-20 have been amended.

Claims 1-20 are currently pending in this application.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 10 and 18-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 10 recites the limitation "the transmission radiation" in lines 14 and 15 and the limitation "the scattered radiation" in lines 16 and 18. There are insufficient antecedent basis for the limitations in the claim.

Claims 18 and 20 are rejected by virtue of their dependence.

***Allowable Subject Matter***

4. Claims 1-9 and 11-17 are allowed.

5. Claims 10-20 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

With respect to claims 1-9, prior art fails to teach or make obvious a computed tomography apparatus comprising: a detector arrangement that detects radiation that traverses the examination zone, wherein the detector arrangement is configured for displacement, with respect to the radiation source, in a direction along the longitudinal axis; a first drive unit configured to displace the detector arrangement along the longitudinal axis so that substantially, all transmission radiation that traverses the examination zone bypasses the detector arrangement and scattered radiation that traverses the examination zone illuminates the detector arrangement as claimed in combination with all of the remaining limitations of the base claim and any intervening claims.

With respect to claims 10 and 18-20, prior art fails to teach or make obvious a computed tomography apparatus comprising: a collimator arranged between the examination zone and the detector arrangement, wherein the collimator includes a sub-region that attenuates the transmission radiation so that an intensity of a transmission

radiation traversing the sub-region and illuminating the detector arrangement is substantially equal to an intensity of a scattered radiation illuminating the detector arrangement, and wherein the sub-region includes an opening through which transmission radiation traverses substantially unattenuated and illuminates the detector arrangement as claimed in combination with all of the remaining limitations of the base claim and any intervening claims.

With respect to claims 11-17, prior art fails to teach or make obvious a method, comprising: selectively directing a radiation beam with respect to a detector arrangement so that transmission radiation, corresponding to the radiation beam, that traverses an examination zone and bypasses the detector arrangement; and detecting scattered radiation corresponding to the radiation beam, that traverses the examination zone and illuminates the detector arrangement as claimed in combination with all of the remaining limitations of the base claim and any intervening claims.

### ***Response to Arguments***

6. Applicant's arguments, see pages 8-12, filed November 29, 2007, with respect to claims 1-9 and 11-17 have been fully considered and are persuasive. The rejection of claims 1-9 and 11-17 has been withdrawn.

***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to IRAKLI KIKNADZE whose telephone number is (571)272-2493. The examiner can normally be reached on 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ed Glick can be reached on 571-272-2490. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Irakli Kiknadze/

Irakli Kiknadze  
Patent Examiner  
Art Unit 2882

IK/ February 19, 2008

